

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

JEANINE YELLOWHORSE, )

Defendant. )

CASE NO. 05-543M

DETENTION ORDER

Offense charged:

Involuntary Manslaughter, in violation of Title 18 U.S.C., Section 1112(b) and 1153.

Date of Detention Hearing: December 5, 2005

The Court conducted both an detention hearing pursuant to Title 18 U.S.C. § 3142(f), and a preliminary Rule 5(c)(3) inquiry. The defendant waived his rights to a full Rule 5(c)(3)(D) hearing and the Court signed an order of transfer to the originating district court of the District of Montana, Great Falls Division to answer the charges.

The detention hearing was uncontested, and the defendant may address the issue of detention in Montana. Moreover, based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as

1 required and the safety of any other person and the community. The Government was  
2 represented by Robert Westinghouse. The defendant was represented by Carol Koller. The  
3 defendant does not object to detention and defers final detention hearing the District of  
4 Montana.

5  
6 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

7 (1) The defendant poses a risk of non-appearance as his background and ties  
8 to this district are unknown;

9 (2) Due to the nature and seriousness of the crime alleged, release of the  
10 defendant would pose a risk to the community.

11 Thus, there is no condition or combination of conditions that would reasonably assure  
12 future court appearances.

13  
14 **It is therefore ORDERED:**

15 (1) Defendant shall be detained pending trial and committed to the custody of  
16 the Attorney General for confinement in a correctional facility separate, to  
17 the extent practicable, from persons awaiting or serving sentences, or being  
18 held in custody pending appeal;

19 (2) Defendant shall be afforded reasonable opportunity for private  
20 consultation with counsel;


21 (3) On order of a court of the United States or on request of an attorney for the  
22 Government, the person in charge of the correctional facility in which  
23 Defendant is confined shall deliver the defendant to a United States  
24 Marshal for the purpose of an appearance in connection with a court  
25 proceeding; and

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2 (4) The clerk shall direct copies of this order to counsel for the United States,  
3 to counsel for the defendant, to the United States Marshal, and to the  
4 United States Pretrial Services Officer.

5 DATED this 9<sup>th</sup> day of December, 2005.

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8 MONICA J. BENTON  
9 United States Magistrate Judge